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Letter dated 1 July 2011 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General

I have the honour to inform you that, under the presidency of Germany, the Security Council is scheduled to hold an open debate on the subject of "Children and armed conflict" on Tuesday, 12 July 2011. In order to help steer the discussions on the subject, Germany has prepared the attached concept paper (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council in connection with the item entitled "Children and armed conflict".

(*Signed*) Peter **Wittig**

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Annex to the letter dated 1 July 2011 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General

Security Council open debate on "Children and armed conflict"

12 July 2011

Concept paper

Within the context of its overall mandate to protect international peace and security, the Security Council has in the last years taken significant steps to establish a strong normative framework for the protection of children in situations of armed conflict. The appointment of Radhika Coomaraswamy to the position of Special Representative of the Secretary-General for Children and Armed Conflict, the establishment of a monitoring and reporting mechanism and the creation of a dedicated Security Council Working Group on Children and Armed Conflict, through Security Council resolution 1612 (2005), are seen as landmark decisions in this regard.

Under Security Council resolution 1882 (2009), the Security Council expanded the gateway to the annexes of the annual report of the Secretary-General on children and armed conflict to include not only parties to conflict that recruit and use children, but also those parties that are responsible for the killing and maiming of children in contravention of international law, and/or rape and other forms of sexual violence committed against children, in situations of armed conflict.

The Security Council has also repeatedly expressed its readiness to adopt targeted measures against parties to conflict, which have been listed in the annexes of the report of the Secretary-General on children and armed conflict and that have consistently refused to enter into dialogue with the United Nations to end child violations.

Since the adoption of resolution 1882 (2009), notable progress has been achieved in communications between the Security Council Working Group, the Special Representative and existing Security Council Sanctions Committees and their expert groups.

In May 2010 the Special Representative briefed the Security Council Sanctions Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo. In December 2010, this led to the listing of a number of individuals by the Sanctions Committee due to violations they had perpetrated against children in the Democratic Republic of the Congo. In May 2011 the Special Representative briefed the Security Council Sanctions Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning the situation in Somalia and Eritrea on violations committed against children by parties to conflict in Somalia.

In its last presidential statement on children and armed conflict (S/PRST/2010/10), the Security Council expressed its intention, when establishing or reviewing the mandate of relevant Sanctions Committees, to consider provisions pertaining to parties that are in violation of applicable international law relating to the right and protection of children in armed conflict.

The innovative approach of the Security Council in dealing with the issue of children and armed conflict — through applying political pressure, the threat of targeted measures by the Security Council and the possibility for parties to conflict to be delisted if they stop violations against children and enter into action plans with the United Nations — has produced tangible results. Since 2006, thousands of children have been released from armed forces and armed groups.

However, serious challenges remain. As evidenced in the latest annual report of the Secretary-General on children and armed conflict (A/65/820-S/2011/250), attacks against schools and hospitals in situations of armed conflict are a growing trend and a significant concern.

In many armed conflicts, schools are physically destroyed by armed actors, and students and education personnel are attacked, threatened or intimidated. Recognizing the problem, the General Assembly unanimously adopted resolution 64/290 in 2010 entitled "The right to education in emergency situations". The Security Council, in its latest presidential statement on children and armed conflict (S/PRST/2010/10) expressed deep concern about the growing number of attacks or threats of attacks, in contravention of applicable international law, against schools and educational facilities.

Attacks on hospitals have resulted in civilian casualties in a number of armed conflict situations. As children are most often the largest caseload of patients in hospitals, civilian casualties of attacks on hospitals invariably include children. Threats of attacks on medical personnel or infrastructure may lead to the disruption of the delivery of health services and/or the closure of hospitals, which may endanger the lives of children through the loss of life-saving medical services, such as inoculations, maternal or paediatric care.

* * *

The Security Council will hold an open debate to focus on the issue at hand. It is scheduled for 12 July 2011 and will be chaired by the Foreign Minister of Germany, Guido Westerwelle. The Secretary-General has expressed his intention to be present.

Following the recommendation of the Secretary-General to the Security Council in his latest annual report to consider expanding the listing criteria for the annexes to the annual report to also include parties that attack schools and/or hospitals, it is the intention of Germany to submit a Security Council resolution.